

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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RAINBOW APPAREL, INC., *et al*,

Plaintiff,

v.

KCC TRADING, INC., *et al*,

Defendants.

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**Hon. Dennis M. Cavanaugh**

**ORDER**

Civil Action No. 9-CV-05319 (DMC-MF)

DENNIS M. CAVANAUGH, U.S.D.J.:

This matter comes before this Court upon motion by KCC Trading, Inc., Won Bok Choi, Misuk Choi and Ji Hae Choi a/k/a Vanessa Choi (collectively, “Defendants”)<sup>1</sup> to transfer venue, upon motion to dismiss for failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(6) and upon motion to dismiss for lack of personal jurisdiction pursuant to Fed. R. Civ. P. 12(b)(2). Pursuant to Fed. R. Civ. P. 78, no oral argument was heard. After considering the submissions of the parties, and based upon the Court’s Opinion filed this day;

IT IS this 26th day of May, 2010;

**ORDERED** Defendants’ motion to transfer is **denied**; and further,

**ORDERED** Defendants’ motion to dismiss Plaintiffs’ Complaint pursuant Fed. R. Civ. P. 12(b)(6) is **granted** with respect to Defendant Thomas Hill USA Co., Inc; and further,

**ORDERED** Defendants’ motion to dismiss Plaintiffs’ Complaint pursuant Fed. R. Civ. P.

12(b)(6) is **granted** with respect to Defendants Won Bok Choi and Misuk Choi in their individual capacities only; and further,

**ORDERED** Defendants' motion to dismiss Plaintiffs' Complaint pursuant Fed. R. Civ. P.

12(b)(6) is **granted** with respect to Counts I, X and XI; and further,

**ORDERED** Defendants' motion to dismiss Plaintiffs' Complaint pursuant Fed. R. Civ. P.

12(b)(6) is **denied** with respect to Counts II, III, VI, VII and VIII; and further,

**ORDERED** Defendants' motion to dismiss Plaintiffs' Complaint pursuant to Fed. R. Civ.

P. 12(b)(2) is **denied**.

S/ Dennis M. Cavanaugh  
Dennis M. Cavanaugh, U.S.D.J.

Original: Clerk's Office  
cc: All Counsel of Record  
The Honorable Mark Falk, U.S.M.J.  
File